

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILLIAM LEE MAHER and,
SELECTIVE INSURANCE COMPANY
OF SOUTH CAROLINA

Plaintiffs,

v.

Case No. 15-10790

FEDERATED SERVICE INSURANCE,
COMPANY, AON AUTOMOTIVE GROUP, INC.
d/b/a BROOKLYN FORD and MELISSA STRANG,

HON. AVERN COHN

Defendants.

**MEMORANDUM AND ORDER GRANTING DEFENDANT FEDERATED SERVICE
INSURANCE COMPANY'S MOTION TO ALTER OR AMEND JUDGMENT (Doc. 27)**

This is a dispute between insurance companies. On October 26, 2015, the Court entered a Memorandum and Order Granting Plaintiffs' Motion for Judgment on the Pleadings (Doc. 25). The Memorandum and Order stated:

- (1) Federated is obligated to provide Maher's primary defense in the underlying case;
- (2) Federated has the primary duty to indemnify Maher up to the limits of the policy issued to Brooklyn Ford that was in effect at the time of the underlying accident;
- (3) Federated is obligated and has a duty to reimburse Selective for the defense costs it incurred in the defense of the claim asserted against Maher in the underlying case.

That same day, the Court entered a Judgment closing the case. (Doc. 26). The Judgment stated: "For the reasons stated in the Memorandum and Order on October

26, 2015, Plaintiff's Motion for Judgment on the Pleadings is granted and this case is now closed." Id.

On November 23, 2015, Defendant Federated Service Insurance Company filed a Motion to Alter or Amend Judgment. (Doc. 27). Defendant's motion requested that the Court either (1) alter the order and judgment to reflect that they are limited to Federated's primary policy – the only policy at issue in the pleadings; or (2) withdraw the order and judgment to permit the parties to amend the pleadings and address coverage issues under Federated's umbrella policy. In response, Plaintiffs had no objection to asking the Court to amend the order and judgment to reflect that they apply only to Federated's primary policy. (Doc. 30).

Accordingly, Defendant's Motion to Alter or Amend the Judgment is GRANTED. The Court AMENDS its order and judgment to reflect that they apply only to Federated's primary policy.

SO ORDERED.

s/Avern Cohn

AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: January 25, 2016
Detroit, Michigan